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FAQ: CITY COUNCIL ACTIONS REGARDING VALLCO GENERAL PLAN AND RELATED ZONING UPDATES

Q: What changes to the Vallco Property did the City Council make at its August 20 and September 3, 2019 meetings?

A: The City Council adopted amendments to Cupertino's General Plan to (1) remove office as a permitted use for the Vallco Shopping District Area, (2) continue to accommodate the 389-unit Regional Housing Needs Allocation for the site by permitting 459 residential units by right on 13.1 acres, and (3) specify 60-foot height limits and other development standards for the site. It also approved related zoning changes to implement the General Plan Amendments.

At the same time, the City Council directed staff to undertake a specific planning effort that would permit a substantial increase in the amount of housing allowed for the entire site, and invited the property owner to work with the City Manager on identifying alternative projects for the site.

Q: Why did the City of Cupertino change the allowed uses for the Vallco site?

A: Cupertino's 2014 General Plan identified the Vallco Shopping District Special Area as a site to be developed according to the terms of a future specific plan. It also provided that if a specific plan was not established, the City would consider removing the housing and commercial allocations for the area. Ultimately, the City decided to remove the office allocation, retain the housing allocation, and undertake planning for additional housing. The City did not change existing General Plan policies allowing commercial uses, with a minimum of 600,000 square feet of retail uses.

Q: Why did the City eliminate office uses from the Vallco site?

A: The City of Cupertino aims to maintain a balance between jobs and available housing units. The City has reservations about allowing up to 2 million square feet of office space when the community's most pressing need at this time is to grow its stock of housing, particularly affordable housing that can accommodate lower-income families.

Q: What changes did the City make to allowed housing on the Vallco site?

A: The City's Regional Housing Needs Allocation for the Vallco site is 389 units. The General Plan previously allowed up to 389 units on the entire site with the approval of a Specific Plan. The updates remove the Specific Plan requirement, and permit up to 459 dwelling units by right on 13.1 acres of the site, with up to 620 units allowed if affordability standards are met. The City Council also called for planning to consider additional housing, particularly affordable housing for low, very low, and extremely low-income households; along with housing for persons with disabilities, including developmental disabilities.

Q: Will these General Plan Amendments and zoning updates affect the already-approved SB 35 Vallco project?

A: No, these changes will not affect the Vallco SB 35 project. That project used state law to bypass the General Plan's requirement for preparation of a specific plan and its specific housing allocation for the site. These changes will only affect future development proposals, along with shaping development on the site, should the SB 35 Vallco project not move forward.

Q: Will the City of Cupertino still be able to reach its state-mandated housing goals?

A: State law requires the City to maintain sufficient sites to accommodate its fair share of housing at different income levels, ranging from very-low income to above-moderate income. Cupertino has always complied with this law and will continue to do so. Cupertino's state-mandated allocation is 1,064 units and the City has already designated sites to accommodate 1,400 units (including 389 units at the Vallco site). The General Plan Amendments retain Vallco as one of these sites, but remove the requirement that a Specific Plan be prepared before the housing envisioned in 2014 for the site can be developed.

Q: Is development of housing on the designated 13.1 acres economically feasible?

A: Yes. To ensure that the housing authorized by the General Plan and zoning amendments would be feasible, the City commissioned an economic analysis of the plan. That analysis, using data that the City and landowner had relied upon in 2018 planning efforts for the site, showed that the contemplated housing development would be feasible. The landowner then commissioned its own study relying on new data that questioned the results of the City's study. The City carefully reviewed the landowner's report and conducted additional research concluding that the zoning for the site is not only feasible but would generate a substantial premium for a developer.

Q: Do the amendments comply with state housing law?

A: Cupertino's 2014 General Plan and state-certified Housing Element called for 389 housing units on the Vallco site subject to preparation of a specific plan. These amendments remove the specific plan requirement and allow the housing to be

built immediately without further planning. These units could include a combination of condominiums, apartments, and townhomes to meet the density required by the General Plan. The amendments allow the option of including commercial uses on the ground floor.

Q: How long has the General Plan allowed office uses at the Vallco site?

A: In 2014, Cupertino's General Plan was updated to include "office" as an allowed use in the Vallco planning area. The City's 1993 General Plan designated the site for commercial and residential uses only. The General Plan amendments reverts to the earlier uses envisioned for this site.

Q: Did the process for these General Plan Amendments follow the City's procedures for such changes?

A: Yes. These amendments followed noticed public hearings before the Planning Commission and the City Council. These amendments are a straightforward first step in a longer planning process for the Vallco site. The updates ensure that the 389 housing units assigned to the site in the General Plan can be built by right and they ensure development standards for the entire site are in place while the planning process moves forward.

Q: Do these amendments comply with the California Environmental Quality Act (CEQA)?

A: Yes. These General Plan amendments do not add any additional land uses at the site and so fall within the scope of the environmental review that was prepared for the City's General Plan, as described in the Addendum to the General Plan EIR that was approved for the amendments.